
Violence Against Women Act NEWS

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U.S. Department of Justice
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A Message from Bonnie J. Campbell Director of the Violence Against Women Office

In this issue of *Violence Against Women Act News* we address a concern that is fast becoming a primary focus of public attention: domestic violence in the workplace. Each year nearly 1 million violent assaults occur on the job--accounting for 15 percent of the more than 6.5 million violent acts experienced annually by U.S. residents age 12 and older. In more than 60 percent of on-the-job cases of violence involving female victims, the assailant is a male whom the victim knows. In 5 percent of such cases the assailant is or has been the victim's intimate partner.

Because it's so important for businesses to start addressing this crime--for health, liability, and safety reasons and because it makes good business sense--we devoted this issue to how and why businesses should address the impact of domestic violence among their employees.

We also examine how the U.S. Department of Labor's Women's Bureau is using an award program to challenge businesses across the nation to seek solutions to domestic violence in the workplace. A list of resources to help these businesses is included.

Also, this issue will look at a recent National Institute of Justice study that found while most American corporations have policies to deal with violence in the workplace, these policies rarely include domestic violence. The study found most managers recognize domestic violence as a major problem in society, but fail to see the impact it has on their employees' health and safety.

Clearly, we have much work to do. But, the fact that people are talking, and developing awareness

of the breadth of this serious problem in our society, is a positive first step.

A milestone to note. The Domestic Violence Hotline, which began its operations a year-and-a-half ago, has already answered 120,000 calls. And in connection with that, the U.S. Postal Service has begun a campaign to spread the word about the hotline by putting the 800 number on stamp booklets.

Every Employer's Concern: Domestic Violence in the Workplace

by Frederica Lehrman
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Employers who recognize and respond to the needs of employees affected by domestic violence reduce the chance that violence will occur in the workplace, help insure themselves from legal liability, and protect their companies' bottom line by focusing on employees' safety. Acts of domestic violence diminish the injured employee's productivity, attendance, morale, and health. An abused employee and her coworkers are imperiled when the battering partner enters the worksite intent on doing harm. Employers who fail to act to prevent foreseeable violence may be found liable to injured employees and to murdered employees' survivors.

Many employers now have programs that offer assistance to battered employees. The Polaroid Corporation, Marshall's Inc., and Liz Claiborne, Inc are leaders in the corporate fight against domestic violence. Polaroid retains restraining orders in its

National Domestic Violence Hotline
1-800-799-SAFE
1-800-787-3224 (TDD)

own name to keep batterers (even employee batterers) away from the worksite and the injured employee. Marshall's sponsors an annual "Shop 'til it Stops!" day and donates a percentage of the day's sales to stop domestic violence. Liz Claiborne has seminars on domestic violence and helps injured employees find legal assistance.

To protect the safety of battered and other employees, an employer must institute a policy of zero-tolerance for violence that applies to employees and visitors. The employer should require that all threats and acts of violence against employees be reported immediately. Any person who makes a substantial threat, exhibits threatening behavior, or perpetrates a violent act should be removed from the premises. The employer should take action against the perpetrator: criminal prosecution or termination of business relationship or employment are examples of actions that may be appropriate.

All managers and supervisors should be trained to recognize and respond to workplace domestic violence. A manager's failure to implement policies designed to protect workers can lead to legal liability if an employee is injured as a result. (See, e.g., *Massic v. Godfather's Pizza, Inc.*, 844 F.2d 1414 (10th Cir. 1988)).

An informed or perceptive employer can recognize a battered employee even if the employee remains silent about the violence. Clues that an employee is being abused may include repeated bruises or injuries attributed to falling down or being clumsy; inappropriate clothing with long sleeves, sunglasses, or heavy makeup; high rate of absenteeism; lack of concentration; unusual amount of phone calls from a family member and strong reaction to these calls; or a reluctance to participate in informal activities.

When an employer recognizes that an employee is being battered, there are several steps the employer can take. It is essential to create a safe and nonjudgmental environment for the employee

to come forward. The employer should ask "How can I help?" Never say, "Why don't you just leave?" Five simple things to say are "I am afraid for your safety"; "I am afraid for the safety of your children"; "The violence will only get worse"; "I am here for you when you are ready to leave"; "You do

not deserve to be abused." The employer should provide information about area resources and make written information available to all employees in such places as restrooms and cafeterias. Employers should make clear that domestic violence is a crime and that employees can get protection from the courts. Safety plans are effective ways to predict and plan responses to violence.

An employer also should be aware of potentially violent employees. In a Minnesota case, a male employee harassed, threatened, and killed a female coworker. The court found the employee's actions were foreseeable because he had demonstrated a pattern of abusive behavior. The employer was found to be liable to the murdered employee's survivors for failing to protect against a foreseeable threat of violence (*Yunker v. Honeywell*, 196 N.W.2d 419 (Minn. App. 1993)). Signs that an employee may become violent include exhibiting emotional mood swings and self-destructive behavior; expressing a fear of losing control; harassing others; breaking or smashing objects; and making threats.

If an employee has been threatened and violence is imminent, the employer should call 911 and implement the safety plan. Informing coworkers of the risk will help prepare them to act if the batterer enters the workplace. Photographs of the batterer can be distributed. The threatened employee's phone calls can be screened. If possible, the threatened employee's workstation should be moved away from publicly accessible areas. The employer can provide escorts to and from the parking lot or bus stop.

An employer's quest for workplace safety must include a plan for recognizing and responding to the needs of employees affected by domestic violence. The employer who acts to prevent domestic violence from spilling into the

workplace protects the rights and safety of its employees and takes steps to protect itself from the legal liability that may result from violence on the job.

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Domestic Abuse: A Workplace Hazard

by Ida L. Castro
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Each year nearly 1 million individuals become victims of violent crime while working or on duty. From 1987-92, 5 percent of the women victimized at work were attacked by a husband, ex-husband, boyfriend, or ex-boyfriend. From 1992-94, 17 percent of men charged with killing a woman at her job were current or former husbands or boyfriends.

Work to End Domestic Violence

The second annual Domestic Violence Workplace Education Day will occur on October 1, 1997. Led by the Family Violence Prevention Fund in San Francisco, CA, employers across the country will hold programs and distribute materials to employees about the prevalence and severity of domestic violence and what everyone can do to help stop it. If you would like more information about Workplace Education Day and what you as an employer can do to help victims in your workplace contact the FUND at 415-252-8900.

Abusive partners may make it difficult for their victims to work by withholding necessary resources such as money (including the victim's wages) and transportation, leaving bruises in prominent places so a victim is embarrassed to go to work or to an interview, or threatening victims at the workplace. Some victims are also stalked by and receive hostile phone calls or e-mails from current or past abusers at work. Women who are being abused or women who are survivors of abuse may be under severe stress, making it difficult to concentrate at work.

In a study of domestic violence victims, 96 percent of those employed had some type of problem in the workplace as a result of their abuse or abuser. These problems included tardiness (reported by more than 60 percent of respondents), difficulty performing one's job (reported by more than 70 percent of the respondents), being reprimanded for problems associated with the abuse (reported by more than 60 percent), and losing a job (reported by more than 30 percent).

Domestic violence is not only harmful to workers it is harmful to business. Without effective policies to confront this issue, domestic violence has negative effects on productivity, may increase employer liability for assaults committed at the workplace by abuse partners against their victims or the victims' coworkers, may result in higher health care costs, and may result in high turnover due to employers' termination of employees who are domestic violence victims.

In 1995, the Department of Labor's Women's Bureau developed the *Working Women Count Honor Roll*--a program challenging businesses, nonprofits, unions, and state and local governments to initiate new programs or policies that make real, positive workplace change in the areas women said they needed change the most. More than 1,300 organizations, public and private, large and small, pledged to institute changes affecting more than 2 million workers. Two Honor Roll members, the Commonwealth of Massachusetts and the Services Employee International Union, Local 509, agreed to offer state employees 10 days of paid leave per calendar year to attend necessary legal proceedings or activities when the employee or employee's child is a victim of domestic abuse.

Unions can help domestic violence victims in a variety of ways. They can work with employers to implement screening, counseling, and leave policies, as well as low-cost or free legal assistance; expand benefit programs to include counseling and legal services for union members

Good Business Sense

Greg Marshall is a successful businessowner who started his moving and storage company in Austin, Texas more than 13 years ago. The business expanded and he now has offices in three cities. When one of his employees confided that she was trying to escape an abusive marriage, it made sense to him to help her in any way he could. "It was the right thing to do," says Marshall, "and it made good business sense. She was a good, hard-working and dedicated employee." Marshall extended her paid leave so she could move out of her house and get resettled and offered her the use of his vans and storage facilities--a service he continues to make available to women attempting to leave abusive situations.

who are domestic violence victims; sponsor workshops to train employees about domestic violence issues; and widely publicize crisis hotline numbers, outside counseling programs, and women's shelters in the workplace.

The American Federation of State, County, and Municipal Employees (AFSCME), AFL-CIO, DC 37, for example, has been addressing the issue of domestic violence since 1981, when the union established the Municipal Employees Legal Services (MELS) Plan to provide legal aid, child care, and housing to victims of domestic violence. MELS employs social workers to help victims obtain financial help needed to leave an abusive relationship, find housing, and make safety plans.

Private employers, nongovernmental organizations, unions, and government need to recognize and act upon the seriousness of domestic violence and its impact at the workplace. Doing so will save lives, improve workplace morale, increase productivity, and strengthen families.

Corporate Sector Responses to Domestic Violence*

*by Nancy E. Issac
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Having moved into an apartment to escape her abusive ex-boyfriend, Jessica knew she had to keep going to work to support herself and her two children. Although he no longer knew where she lived, Jessica's ex-boyfriend knew how to find her at work. He shot and killed her as she was stocking shelves at the local grocery store.

Alice felt relatively "safe" working at her office building, where the security staff was careful not to let in any unannounced visitors. Still, her productivity fell as her estranged husband made up to 20 calls a day threatening to kidnap her children from school and burn down her parents' home.

Domestic abuse follows women to work every day. Yet measuring the dimensions of this problem has proved very difficult: Women often hide or deny

their abuse--partly because they fear exposure will negatively impact their employment--and most employers lack knowledge about warning signs of abuse or helpful responses. The results are mutually reinforcing--employers see little need to respond to a problem that appears rarely to occur, and women see little reason to reveal their abuse in an environment that does not communicate awareness and support around this issue.

The goal of the NIJ-funded research discussed here was to examine what role the corporate sector plays in responding to domestic violence ("partner abuse") as an issue affecting the health and safety of employees.

The project researchers used three broad strategies to shed light on this question. First we interviewed approximately 60 corporate professionals to examine the awareness of and attitude toward partner violence and its potential

impact on employees' work lives. We then surveyed employee assistance professionals to obtain a broader view of current corporate-sector responses to partner violence. For companies that have one, the employee assistance program (EAP) is the natural locus for response to "troubled" employees. It assists employees with personal problems that are interfering with their ability to function effectively in their jobs.

In the spring of 1995, using the membership list of the Employee Assistance Professional Association, we sent an extensive survey to counselors in internal and external EAPs. We received responses from 307 individuals (an estimated response rate of 53 percent). The EAP sample was 54 percent female, had a mean age of 46.5 (SD=8.4), and came from all regions of the United States. The survey was targeted to the private sector and 91 percent of respondents stated they were from the private sector (for profit, nonprofit, or private-sector labor union).

Finally, we included a case study of Polaroid Corporation, which has been particularly proactive in responding to domestic violence as an issue both for employees and within the community. Provided here are some of the general conclusions of the study, which also offers recommendations for companies interested in becoming more responsive.

Conclusions from the EAP Survey

- A large majority of EAP providers have dealt with specific partner abuse scenarios in the past year, including an employee with a restraining order (83 percent) or an employee being stalked at work by a current or former partner (71 percent).
- While policies or guidelines on "workplace violence" appear to have proliferated, similar documents that specifically address domestic violence and the workplace are rare. While three-quarters of respondents from larger U.S. companies said they had workplace violence policies or guidelines, only 14 percent had policies or guidelines that covered domestic violence. These figures are almost certainly higher than the national

prevalence of such policies or guidelines, since they are drawn only from companies that have EAPs and are hence likely to be more responsive to employee problems.

- There is increasing awareness that domestic violence is a problem employees may bring to the EAP. Slightly more than one-quarter (26 percent) of EAPs already have a question about partner abuse on their written intake or history forms. Slightly more than a quarter of respondents reported that their companies' response to partner abuse had changed in the past year, mostly in the direction of increased awareness.
- At larger U.S. firms, significant numbers of EAP staff are already applying a range of policies to accommodate the needs of employees affected by abuse. Two-thirds of internal EAP providers have used leaves of absence or medical leave policies and 41 percent have used short-term disability policies to assist employees affected by abuse.

Conclusions Based on Corporate Interviews

- Although they are aware that domestic violence is a major social problem, most corporate executives and managers in the corporate sector have given little or no thought to its potential impacts on employee health and safety.

Nevertheless, as the findings of the EAP survey demonstrate, there is an important minority of companies that is already taking important steps toward education and awareness.

- In larger companies, awareness of domestic violence appears to be greatest in EAP and security departments. Often individuals in these departments are aware of cases that are unknown to others such as human resources, medical, or legal personnel.
- Little communication about the extent or handling of domestic violence cases appears to occur across company departments. This is true not only for specific incidents (where

confidentiality may limit such communications) but with general discussion of the problem and how the company is encountering it.

- Potential barriers to increased corporate response include a lack of awareness, denial, embarrassment, privacy and confidentiality concerns, victim blaming, an expectation that abused women will identify themselves to the company, fear of advocating for a "marginalized" issue, and concern that responding may alienate male employees, negatively impact the company image, or cost too much (especially to external EAP providers).
- EAP staff are motivated to learn more about partner abuse. Although most EAP survey respondents felt their preparation was already good (52 percent) or excellent (21 percent), large majorities were interested in learning more about a wide range of partner abuse issues.
- Interaction with the criminal justice sector in relation to domestic violence is limited. Very few firms have received training from police or other criminal justice professionals, although those who have consider such training helpful. Three-quarters of EAP providers viewed inadequate follow through by the criminal justice system as a moderate or major barrier to dealing with domestic violence cases.

Perhaps the most valuable lesson taught by firms actively responding to domestic violence is that the corporate sector can play a positive and helpful role. By forming alliances with respondents in other sectors and by providing visible responses within their own corporate communities, businesses can increase understanding of the problem, knowledge of resources, and the ability of those affected to seek help.

** This study was supported with grant funding from the National Institute of Justice. Copies of the report are available from the National Criminal Justice Reference Service at 1-800-688-4252; or on-line at www.hsph.harvard.edu/organizations/hcra/hicc.html.*

(Dr. Issac was with the Harvard Injury Control Center when this study was performed.)

Community Checklist: Important Steps to End Violence Against Women

*by the National Advisory Council
on Violence Against Women*

The following checklist has been excerpted from the National Advisory Council on Violence Against Women's, *Community Checklist: Important Steps to End Violence Against Women*. Copies are available at <http://www.usdoj.gov/vawo>.

Checklist for the Workplace

Men and women spend more and more of their daily lives in the workplace. Domestic violence is a workplace issue which affects the safety, health, and productivity of all of America's workers. Business and labor leaders have identified several strategies that can be used to create safer and more supportive workplaces.

✓ ***Start with the Top and Get Corporate Leadership on Board.*** Encourage CEOs or the management team to establish a workplace which is intolerant of domestic violence and aids a victim in obtaining assistance and protection.

✓ ***Establish Employee Policies that Meet the Needs of Victims of Domestic Violence.*** Work with your management and union to develop and negotiate paid leave and benefit policies which recognize and are responsive to the particular needs of your employees who are victims of domestic violence.

✓ ***Ensure Employee Assistance Programs are Responsive to Victims of Domestic Violence.*** Determine whether your company's employee assistance program (EAP) includes domestic violence services or referrals. If it does not, speak with your human resources director or the appropriate manager about the possibility of expanding the program to address the needs of employees facing violence in their homes. All

EAP personnel should receive domestic violence training and have an understanding of the dynamics of domestic abuse.

✓ ***Provide Management with the Tools to Respond to Domestic Violence.*** Establish a training program for all supervisors and managers at your workplace to give them guidance on how to respond when an employee is a victim or perpetrator of domestic violence.

✓ ***Educate Employees About Domestic Violence.*** Sponsor a workshop or a series of workshops at your workplace on domestic violence. Invite a domestic violence survivor to speak about her experiences and to discuss the impact of domestic violence on her life and her work.

✓ ***Share Materials About Domestic Violence.*** Distribute educational materials about domestic violence to all employees in your workplace and display posters and brochures in public places which explain the issue. Send the message that there is no excuse for domestic violence. Make victim safety information available in private places such as restrooms or in paycheck envelopes. All information should include the National Domestic Violence Hotline number: 1-800-799-SAFE (7233) or 1-800-787-3224 (TDD).

✓ ***Increase Safety at the Workplace.*** Find out whether security guards at your workplace have been trained to handle the special needs of battered women, who may be stalked at work. If they have not, speak with the appropriate manager to arrange training and help security personnel develop safety procedures.

✓ ***Coordinate with Local Law Enforcement.*** Arrange a meeting between security personnel at your workplace and local law enforcement agencies to facilitate appropriate information sharing and the development of collaborate working relationships.

✓ ***Join in Local Community Efforts to Combat Domestic Violence.*** Conduct a drive in your workplace to collect items for local domestic violence shelters. Be sure to contact the shelters

first to find out what they want, but common needs are toys, clothing, diapers, furniture, office equipment, office supplies, and food. Alternatively, make a contribution of company products.

✓ ***Donate Time and Resources.*** Adopt a local domestic violence shelter by collecting money from coworkers for a joint donation or getting a group of coworkers to make a commitment of volunteer hours. For example, raise money to pay for a new roof for a shelter, organize groups of volunteers to paint a shelter, do yard work around the shelter, assist with a special event, or provide other specialized skills.

National Hotline Helps Thousands

by Gretchen Schroeder

U.S. Department of Health and Human Services

When the President launched the National Domestic Violence Hotline in February of 1996, he offered new hope to victims of domestic violence. Since then, the 24-hour, toll-free hotline has received more than 120,000 calls. The hotline provides crisis assistance and local shelter referrals to callers nationwide. The hotline number is 1-800-799-SAFE. The TDD number for the hearing impaired is 1-800-787-3224.

Despite the tremendous response to the service, the government continues to explore new ways to publicize this lifesaving program. Two months ago the U.S. Postal Service began releasing 200 million packages of postal stamps with the hotline number printed on the covers. The Postal Service campaign is a bipartisan initiative, backed by the Clinton Administration and the Congress. Vice President Al Gore recently explained the importance of the stamp

booklet campaign and programs like it saying, "Public awareness of the hotline number and services is crucial for the child who doesn't know who to talk to about the violence in her home, for the abuser who knows enough is enough, and for the abused whose body and mind have been crushed."

New Guides Address Violence in the Workplace

Handling Traumatic Events. U.S. Office of Personnel Management. December 1996. Suggests management policies and procedures for dealing with workplace violence and other traumatic events. Includes chapter on domestic violence.

The Dollars and Sense of Domestic Violence Prevention: Saving Money, Saving Lives, An Employers Guide. ABA Commission on Domestic Violence. September 1997. To order call 1-800-285-222.

The Impact of Violence on the Lives of Working Women, Creating Solutions-Creating Change. NOW Legal Defense and Education Fund. 99 Hudson Street, New York, NY 10013.

More than 1 million women are assaulted each year by the men they once or still consider their partner. But current statistics on intentional injury greatly underestimate the number of violent acts against women because of underreporting. In its first year, the National Domestic Violence Hotline answered an average of 8,000 confidential calls per month, mostly from women who had never before sought assistance. Callers can speak with someone in English or Spanish and have access to translators in 139 languages.

The help offered through the National Domestic Violence Hotline is guided by recent research conducted by the U.S. Centers for Disease Control and Prevention. This extensive study suggested common early warning signs and causes of domestic violence. Examples of early warning signs in the typical abuser include alcohol and drug problems, abuse toward other women, extreme jealousy, and refusal to accept responsibility for his behavior and failures. To help women move through the process of change, the study recommends educating women

about what constitutes abuse, providing interim help before an abused victim is ready to leave a relationship, and enacting laws that result in penalties for partner abuse. Learning from our

research and taking constructive action through programs like the National Domestic Violence Hotline will help us end violence against women.

Why Women Don't Tell Employers About the Abuse*

Fear of retribution

- She may not know information told to an employer can be kept confidential.
- She may fear the employer will report the abuse to the police or try to talk to the batterer about his behavior, which may further endanger her and her children.
- She may be isolated and unable to talk to anyone without the batterer being present.
- The batterer may have told her if she tells anyone, she and the children will be killed.

Shame and humiliation

- She may feel responsible for the abuse and responsible for "making it better."
- She may believe she is the only one in an abusive relationship.
- She may not think she is good enough to be helped.
- Her cultural, ethnic, and religious background may influence her response to the abuse.

She feels protective of the relationship

- Her partner may be the primary, or only, source of financial support for the family.
- He is not always abusive and there are good times in the relationship.
- He may be well-respected, holding a position of authority in the company or community.

- He may say he will change and she wants to believe the violence won't happen again.

She may believe her employer...

- is unwilling to get involved or doesn't care.
- is not knowledgeable about abuse or doesn't have time to listen.
- will condemn her and make her feel responsible for the violence
- cannot help her or help her locate resources in the community.
- will fire her or the batterer because of the problems caused by the abuse.

**From The Physicians' Guide to Domestic Violence, Patricia R. Seller, MD and Ellen Taliaferro, MD, Volcano Press, 1995 available at <<http://www.volcanopress.com>>*

Family Violence Prevention Fund Helps Businesses Tackle Domestic Violence

The U.S. Department of Justice, Office for Victims of Crime is funding a year-long project that will make it much easier for businesses and unions to support victims of domestic violence at the workplace and protect the safety of all personnel.

The *Promising Strategies and Practices* project managed by the San Francisco-based Family Violence Prevention Fund, has three goals: to develop a strong case for business and labor involvement in domestic violence prevention, to develop materials and policy guidance for businesses and labor unions, and to disseminate materials through networks the Fund develops among workers, unions, government agencies, businesses, and victim advocates. Materials will include a domestic violence resource kits, model workplace policies, and educational pieces.

For more information about *Promising Strategies and Practices to Enhance Workplace Responses to Domestic Violence* contact the Family Violence Prevention Fund at 415-252-8900.

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